

RESPONSE TO RESTRICTION REQUIREMENT

In response to the June 28, 2005 Requirement To Restrict, Applicants hereby provisionally elect to prosecute the Group I claims, Claims 1 to 13 and 23-25/(1-13). In this regard, although the Office Action did not group dependent Claims 23 to 25 as part of Group I, it is believed that should have been done insofar as these claims depend from the elected Claims 1 to 13.

The Restriction Requirement is, however, traversed. Traversal is on the ground that there would not be undue burden in examining both groups of claims in a single application. In particular, MPEP § 808 makes clear that in order to require restriction between independent of distinct inventions, reasons for insisting upon a restriction requirement, such as undue burden, must also be shown. In the present instance, it is not believed that there would be undue burden in examining both groups of claims in a single application, since the two groups of claims are not so different as would require a burden on the Examiner that is significantly beyond that of the normal burdens of examination. Accordingly, reconsideration and withdrawal of the Restriction Requirement are respectfully requested.

Here, the Office Action asserted that there was burden because of the different classifications of the two groups. However, the classification given in the Office Action actually underscores the relatedness of the technology between the two groups, and detracts from the PTO's position that there is undue burden. In particular, Group I was classified in 345/600, while Group II was classified in 345/603 which is an indented

subclass under 345/600 of the elected Group I. This classification underscores the relatedness of the technology between the two groups, and emphasizes that there would not be undue burden in examining both of Groups I and II.

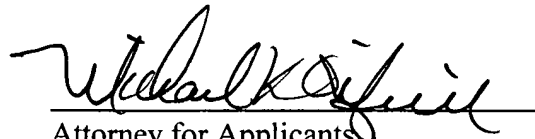
Accordingly, reconsideration and withdrawal of the Restriction Requirement are respectfully requested.

New Claims 26 and 27 have been added. Claim 26 is directed to the elected Group I while Claim 27 is directed to non-elected Group II.

Accordingly, an action on the merits of Claims 1 to 13, 23-25/(1-13) and 26 is respectfully requested. In addition, an action on the merits of Claim 27 is also respectfully requested if the Restriction Requirement is withdrawn as argued above.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael K. O'Neill", is written over a horizontal line.

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